Remarks

Applicants respectfully request that this Response After Final Action be admitted under 37 C.F.R. § 1.116.

Applicants submit that this Amendment presents claims in better form for consideration on appeal. Furthermore, applicants believe that consideration of this Response could lead to favorable action that would remove one or more issues for appeal.

Claims 1-2, 4-11 and 13-18 have been amended. Claims 3, 12 and 19-25 have been canceled. Therefore, claims 1-2, 4-11 and 13-18 are now presented for examination.

The disclosure is objected to because of informalities. The specification has been amended to overcome this objection. Accordingly, applicants respectfully request that this objection be withdrawn.

Claims 1, 10 and 19 stand objected to because of informalities. Claims 1 and 10 have been amended to overcome this objection. Accordingly, applicants respectfully request that this objection be withdrawn.

Claims 1-2, 4-11, 13-20, 22-25 stand rejected under 35 U.S.C. §101. Claims 1 and 10 have been amended to overcome this rejection. Accordingly, applicants respectfully request that this rejection be withdrawn.

Claims 1-2, 4-11, 13-20, 22-25 stand rejected under 35 U.S.C. §112, first paragraph. Claims 1 and 10 have been amended to overcome this rejection. Accordingly, applicants respectfully request that this rejection be withdrawn.

Claims 1-2, 5, 10-11, 14, 19-20, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Long et al., U.S. Patent No. 5,835,958 ("Long"), and in view of

Admitted Prior Art ("APA"). Applicants submit that the present claims are patentable over Long in view of APA.

Long discloses a method of calling a stack checking function that includes a compiled function. A determination is made if additional memory is required for executing the complied function. If no additional memory is required, then the compiled function is called and executed. If additional memory is required, then additional memory is allocated. See Long at Abstract.

Applicants respectfully disagree with the Examiner's characterization of the Specification. Applicants submit that neither Long nor APA disclose or suggest inserting a single instruction at the block header of a block of code configured for execution on a first processor architecture, wherein the single instruction is to determine if processor resources needed to execute the block of code are available. Since neither Long nor the APA disclose or suggest inserting a single instruction at the block header of a block of code configured for execution on a first processor architecture, wherein the single instruction is to determine if processor resources needed to execute the block of code are available, any combination of Long and the APA would not disclose or suggest the feature. Therefore, applicants submit that claim 1 is patentable over Long in view of APA.

Claims 2 and 4-9 depend on claim 1 and contain additional features, thus claims 2 and 4-9 are also patentable over Long in view of APA.

Claim 10 recites inserting a single instruction at the block header of a block of code configured for execution on a first processor architecture, wherein the single instruction is to determine if processor resources needed to execute the block of code are

available. Thus, for the reasons described above with respect to claim 1, claim 10 is also patentable over Long in view of APA. Since claims 11 and 13-18 depend on claim 10 and contain additional features, claims 11 and 13-18 are also patentable over Long in view of APA.

Claims 4, 6-9, 13, 15-18, and 23-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Long in view of APA, further in view of Yellin et al., U.S. Patent No. 5,740,441 ("Yellin"). Applicants submit that the present claims are patentable over Long in view of APA, further in view of Yellin.

Yellin discloses a program interpreter for computer programs written in a bytecode language, which uses a restricted set of data type specific bytecodes. See Yellin at Abstract. However, Yellin does not disclose or suggest inserting a single instruction at the block header of a block of code configured for execution on a first processor architecture, wherein the single instruction is to determine if processor resources needed to execute the block of code are available.
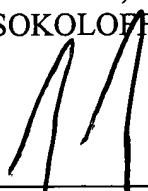
As discussed above, neither Long nor APA disclose or suggest such a feature. Since Long, APA and Yellin do not disclose or suggest inserting a single instruction at the block header of a block of code configured for execution on a first processor architecture, wherein the single instruction is to determine if processor resources needed to execute the block of code are available, any combination of Long, APA and Yellin would not disclose or suggest the feature. Therefore, the present claims are patentable over Long in view of APA, further in view of Yellin.

Applicants respectfully submit that the rejections have been overcome, and that

the claims are in condition for allowance. Accordingly, applicants respectfully request

the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there

remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: <u>October 11, 2006</u>

Mark L. Watson
Reg. No. 46,322

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1026
(303) 740-1980